

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

U.S. COMMODITY FUTURES	§	
TRADING COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-11-2446
	§	
FINANCIAL ROBOTICS, INC., AND	§	
MARK E. RICE,	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

DEFENDANT, MARK E. RICE'S, NOTICE OF APPEAL

Notice is hereby given that Defendant, Mark E. Rice, hereby appeals to the United States Court of Appeals for the Fifth Circuit, at New Orleans, Louisiana, the following orders and/or judgments entered on the docket of this case on August 8, 2011; (Docket No. 34), August 15, 2011; (Docket No. 40), and August 31, 2011, (Docket No. 43). The official Docket Sheet of the District Clerk for the Southern District of Texas, which confirms the date of entry of these orders, and their description, is attached as Exhibit A.

DATED: September 6, 2011.

Respectfully submitted,

s/ Joe Alfred Izen, Jr.

Joe Alfred Izen, Jr.
5222 Spruce Street
Bellaire, Texas 77401
(713) 668-8815
(713) 668-9402 FAX

s/Harris S. Wood, Jr.

Harris S. Wood, Jr.
2190 North Loop West, Suite 308
Houston, TX 77018
281-924-5876 M
281-579-1586 Fax
hwoodatty@yahoo.com

ATTORNEYS FOR DEFENDANT
MARK E. RICE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was sent to the following parties by electronic transmission and/or U.S. Mail, postage prepaid, on this the 6th day of September, 2011:

Charlene C. Koonce
500 N. Akard St., Suite 2700
Dallas, TX 75201
Attorney for Receiver
Kelly M. Crawford
214-706-4242 FAX

Kevin S. Webb
Senior Trial Attorney
Division of Enforcement
Commodity Futures Trading Comm.
1155 21st St. NW
Washington, D.C. 20581

s/ Joe Alfred Izen, Jr.

Joe Alfred Izen, Jr.

RICE.NOA/TK442